



"The City With a Heart"

Jim Ruane, Mayor
Irene O'Connell, Vice Mayor
Ken Ibarra, Councilmember
Rico E. Medina, Councilmember
Michael Salazar, Councilmember

MINUTES
SAN BRUNO CITY COUNCIL
September 24, 2013
7:00 p.m.

1. CALL TO ORDER: THIS IS TO CERTIFY THAT the San Bruno City Council met on September 24, 2013 at the San Bruno Senior Center, at 1555 Crystal Springs Rd., San Bruno, CA. The meeting and the special meeting were called to order at 7:00 p.m. **Mayor Ruane** thanked the Garden Club for the beautiful flower arrangement.

2. ROLL CALL/PLEDGE OF ALLEGIANCE:

Presiding was Mayor Ruane, Vice Mayor O'Connell, Council Members Medina, Ibarra and Salazar. **Community Development Director Woltering** led the Pledge of Allegiance. Recording by City Clerk Bonner.

3. ANNOUNCEMENTS:

a. **Mayor Ruane** announced there will not be a City Council Meeting on December 24, the fourth Tuesday in December. The only Regular City Council Meeting in December will be held on December 10, 2013.

b. **Mayor Ruane** said the deadline to apply for a Board member position on the San Bruno Community Foundation is 5:00 p.m. on September 30, 2013.

c. **Mayor Ruane** said a candidate forum moderated by the League of Women's Voters will take place here at the Senior Center next Wednesday, October 2 at 7:00 p.m. It is a good opportunity to hear the candidates running for City Council in the November 5 election.

d. **Mayor Ruane** moved the proclamation from the Special Meeting forward to the Regular Meeting. **Vice Mayor O'Connell** read a portion of the proclamation being presented to Art Jensen on Thursday evening at his retirement dinner.

4. PRESENTATIONS: None.

5. REVIEW OF AGENDA: No changes.

6. APPROVAL OF MINUTES: City Council Meeting of September 10, 2013, approved as submitted.

7. CONSENT CALENDAR:

a. **Approve:** Accounts Payable of September 3, 9 and 16, 2013.

b. **Approve:** Payroll of September 30, 2013.

c. **Accept:** Reconciliation of General Ledger to Bank Reports and the Investment Reports Dated August 31, 2013.

d. **Adopt:** Resolution Accepting the Street Rehabilitation – Slurry Seal Project as Complete and Authorizing Release of the Construction Contract Retention in the Amount of \$31,765.

e. **Adopt:** Resolution Accepting the Transit Corridors Pedestrian Connection Improvements Project as Complete and Authorizing the Release of the Construction Contract Retention in the Amount of \$9,786.

f. **Adopt:** Resolution Accepting the El Camino Real Median Phase II Upgrade Project as Complete and Authorizing Release of the Construction Contract Retention in the Amount of \$35,608.

g. **Accept:** Resignation from Parks and Recreation Committee Member. Declare Committee Member Vacancy and Direct the City Clerk to Initiate the Process for Appointment of a New Member.

M/S O'Connell/Ibarra to approve the Consent Calendar and passed with all ayes.

8. PUBLIC HEARINGS: None.

Mayor Ruane said there was a staff report available on the table at the entrance to the room addressing the water/wastewater delinquent account right-offs.

9. PUBLIC COMMENT ON ITEMS NOT ON AGENDA:

Robert Riechel, 7th Ave. gave a Farmer's Market update. October 6 will be legislative day with the Mayor managing a booth; October 13, the four Council candidates are invited, October 20, the four candidates for the school board are invited and November 3, the City Public Services Department will have an information booth. He also invited everyone to come out on October 1 from 6:00 to 8:00 p.m. for the Taste of San Bruno, cost is \$25.00 and can be purchased on line or at the door at the San Bruno Recreation Center.

Barbara LaRaia, Clark Ave. said from 2008-2012 there was 1/3 of a million dollars written off for sewer. She asked if it was just residents or were businesses involved. She said on the water, sewer and garbage bill, it is the second highest bill next to her mortgage and her rate is higher than PG&E which is a for-profit corporation; where the City of San Bruno is supposed to be a non-profit entity to serve the citizens. She checked the rates for Daly City and South San Francisco and they are a lot lower. She said when signatures were collected last year to stop the water, sewer and garbage for five years in a row, the City was warned because they did not send notices out to renters. All rate payers should get a copy of the notice. This year, the City sent out garbage rate increases to property owners again, not rate payers.

Marty Medina, Garden Ave. said while campaigning to lower water bills and sewer rates for everyone in San Bruno, he has heard many ask why there water and sewer bills are so high. He said the ultimate responsibility lies with the City Council. He talked about an article written in the San Bruno Patch back in February of 2012 which talked about the City reaching settlement with Baykeeper and the Water Settlement Board. He said these charges were not necessary, they were fully in the hands of the City Council. Back in 1997 the City was given a cease and desist order and required to invest 1.84 million dollars per year for ten years to get the sewer system up to par; however, only 1.4 million dollars were invested annually. He said it wasn't done and we are ending up paying for it. He said his first order of business if elected would be to propose to suspend the water and wastewater increases.

10. CONDUCT OF BUSINESS:

a. Receive Oral Report and Provide Direction to Staff and the Caltrain JPB Regarding Parking on First Avenue.

Rafael Bolon, JPB Caltrain gave a quick update on where we are with parking.

Vice Mayor O'Connell said she appreciated the efforts to find more parking.

Councilmember Ibarra asked what was lost and what is existing? **Bolon** said on First Avenue the after condition will have stripes and t-style parking spots. He said the calculations were based on lineal feet for a standard parking spot. **Councilmember Ibarra** asked if there was any idea what the parking demand was prior? **Bolon** said a parking study was not done; however, he said parking in the evening is a huge premium. Basically, the east side appears to be at capacity, the west side tends to have a lot more spots. **Councilmember Ibarra** asked what sort of numbers would there be if they just stayed with parallel parking? **Bolon** said you end up with a net loss of thirteen spaces.

Robert Riechel, 7th Ave. said he would lean toward suggesting perpendicular parking for additional spots. He also suggested using the current Caltrain as additional parking spots doesn't really tie in to this end.

b. Approve Response to the Grand Jury Report: San Mateo County Special Districts: Who is Really in Charge of the Taxpayer's Money? The Mosquito District Embezzlement.

City Manager Jackson gave an overview of the staff report and reviewed the written response which for the most part agreed with the majority of the many findings of the Grand Jury report. She said this topic has a little more interest for our community and our citizens because of the representation of Robert Riechel on the Board. She said the response is due by October 16.

Councilmember Ibarra said he agreed with the response from the City. He said we are fortunate to have a good representative to help the welfare of the community. He also said as long as Mr. Gay is aware of what needs to be done, the action should be mute.

Councilmember Salazar did not agree wholeheartedly with what was in the report. He felt the tone was too dismissive for the seriousness of what was reported. He said the Grand Jury didn't require our action or comments on a lot of things noted in the report. He agreed we have excellent representation with Mr. Riechel, but we may be in the minority in terms of having adequate representation on the Board of Trustees. He said there were several things in the report that appeared to just be bad judgment from the director. He questioned the people being put into these positions and how the director was appointed. The District's policies were amended and now it requires 90% of the trustees to remove the director which he felt was uncommon and a high burden to have someone removed from office. While this was not addressed in our response, he would like to see them addressed.

Robert Riechel, 7th Ave. said the District would be happy to give additional feedback to some of the questions. He said he did see the response and he believed staff did their due diligence and put together a good response. He said he was open to sitting down with Council or any members of the staff, as well as Mr. Gay.

Councilmember Medina said he believed the 90% was a high threshold. He said better secondary reviews when it comes to the accounting aspect would help. He wasn't in favor of the program being issued over to the County.

City Manager Jackson said one of the key recommendations directed to Cities is if the City Council is not able to locate a suitable representative to the Board, it is recommended by the Grand Jury that the City Council would appoint one of themselves. The draft initiative before Council views that as a key initiative and a good and strong recommendation which staff is recommending Council

agree. She said we have strong representation; however, if we didn't it could be something we could emphasize in the response. In response to Councilmember Salazar's comment, she believed his suggestion was we take it a step further and say in our cover letter we believe that the 90% vote requirement for removal of the Director is a little strong and maybe there could be a strengthening of the qualifications for the General Manager and how is that person sought and evaluated.

M/S Ibarra/O'Connell with changes and passed with all ayes.

c. Adopt Resolution Supporting an Application to the San Mateo County Transportation Authority for the Measure A Grade Separation Program for the Planning and Project Study Report Update of the Scott Street Grade Separation Project.

Public Services Director Fabry gave an overview of the staff report and asked for questions.

Councilmember Ibarra said there was talk about Scott Street, is that not an issue right now? **Fabry** concurred.

Vice Mayor O'Connell introduced the resolution for adoption and passed with a unanimous vote.

11. REPORT OF COMMISSIONS, BOARDS, & COMMITTEES:

12. COMMENTS FROM COUNCIL MEMBERS:

13. CLOSED SESSION:

Mayor Ruane said they would be going into closed session with no reportable action.

- a. Conference with Real Property Negotiators Pursuant to Government Code Section 54956.8
Property: 324 Florida Ave., San Bruno
Agency Negotiator: City Manager
Negotiating Parties: City of San Bruno, Clayton Family
Under Negotiation: Price and terms of payment
- b. Conference with Real Property Negotiators Pursuant to Government Code Section 54956.8
Property: 105 Cabrillo Way, San Bruno
Agency Negotiator: City Manager
Negotiating Parties: City of San Bruno
Under Negotiation: Price and terms of payment.

14. ADJOURNMENT:

Mayor Ruane closed the meeting at 8:09 p.m. The next regular City Council Meeting will be held on October 8 at 7:00 p.m. at the Senior Center, 1555 Crystal Springs Road, San Bruno.

Respectfully submitted for approval
at the City Council Meeting of
October 8, 2013

Carol Bonner, City Clerk

Jim Ruane, Mayor